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PATENT
Attorney Docket No. 056707-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: Gregory M. Glenn <i>et al.</i> |) | |
| |) | |
| Application No. 10/790,715 |) | Group Art Unit: 1645 |
| |) | |
| Filed: March 3, 2004 |) | Examiner: Not Assigned |
| |) | |
| For: Use of Penetration Enhancers and Barrier |) | |
| Disruption Agents to Enhance the |) | |
| Transcutaneous Immune Response |) | |
| Induced by ADP-Ribosylating Exotoxin |) | |

U.S. Patent and Trademark Office
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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

The present application is a continuation application of U.S. Application 09/257,188, now U.S. Patent No. 6,797,276, issued September 28, 2004. Copies of documents listed on pages 1-14 have previously been submitted in U.S. Application 09/257,188. The Examiner's attention is respectfully directed to the art of record in this prior application and thus these references are not being submitted.

Copies of documents Y1-Y42 and Y89-Y91, U.S. patent documents, are not attached. However, copies of documents Y43-Y88 and Y92-Y100 are attached along with a copy of the European Search Report which issued in a corresponding European application, European Patent Application No. EP 03 00 7948.7. Applicants respectfully request that the Examiner consider

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the listed documents and evidence that consideration by making appropriate notations on the attached forms.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies a document as "prior art" against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **October 13, 2004**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
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Facsimile: (202)-739-3001

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Erich E. Veitenheimer
Registration No. 40,420



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Dkt. No.

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| Applicants: GLENN et al. | |
| Appln. No. 10/790,715 | |
| Filing Date: March 3, 2004 | |
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